US Army Corps of Engineers®

Nashville District

Public Notice

Public Notice No. PM-P-03-01 Date: July 28, 2003

Comments To:
Nashville District Corps of Engineers
Planning Branch (PM-P)
P.O. Box 1070
Nashville, TN 37202-1070
ATTN: Ms. Kim Franklin

OR

Tennessee Division of Water Pollution Control
Natural Resources Section
401 Church Street; 7TH Floor L & C Annex
Nashville, TN 37134-0343
ATTN: Mr. Dan Eager

JOINT PUBLIC NOTICE

US ARMY CORPS OF ENGINEERS
TENNESSEE VALLEY AUTHORITY
AND
STATE OF TENNESSEE

SUBJECT: Proposed Discharge of Dredged and/or Fill Material in Association with Proposed Channel Improvements to Beaver Creek at River Mile (RM) 13.59 to 13.71(36° 34' 26"N; 82°, 11', 23"W) and River Mile 14.87 to 15.15 (36°, 35', 28"N; 82°, 11, 13"W), tributary to South Fork Holston River Mile 29.5 Right Bank. (Bristol Quadrangle).

TO ALL CONCERNED: In compliance with Section 404 of the Clean Water Act (CWA) PL 92-500, notice is hereby given that the Nashville District Corps of Engineers proposes to discharge dredged and/or fill material in connection with channel modifications for Beaver Creek in Bristol, Tennessee. Before the discharge can be undertaken, certification must be obtained from the State of Tennessee pursuant to Section 401(a)(1) of the CWA, that applicable water quality standards will not be violated. By copy of this notice, the Corps of Engineers, on behalf of the cities of Bristol, Tennessee and Bristol, Virginia, hereby applies for the required certification.

LOCATION: Mile 13.59 to Mile 13.71 (approximately 650 feet) and Mile 14.87 to Mile 15.15 (approximately 1500 feet) Beaver Creek, Bristol, Sullivan County, Tennessee (USGS Bristol, Tennessee 7.5 Minute Series Quadrangle).

BACKGROUND: The Beaver Creek Bristol Tennessee/Virginia Flood Damage Reduction Study was authorized under Section 205 of the 1948 Flood Control Act.

This project includes an evaluation of the flood problems occurring in the cities of Bristol, Tennessee and Bristol, Virginia. The study area includes three creeks: Beaver Creek from Beaver Creek Dam at RM 22.84 to RM 3.94; Little Creek between its mouth to RM 2.41; Mumpower Creek from its mouth to RM 0.9. Bristol Creek is listed on the 303(d) lists for impaired waters in Tennessee and Virginia. Sources for listing include fecal coliform

contamination (both states), urban runoff (both states), and agricultural non-point sources (Virginia).

Floodplain development in the Bristol area is primarily the central commercial and business district with moderately dense residential development. There is no floodway through the downtown area.

The greatest flood of Beaver Creek, and most likely Mumpower Creek, in the Bristol vicinity since its settlement occurred on March 7, 1867.

The largest flood of record since the closure of Beaver and Clear Creek dams occurred on October 2, 1977. Other Beaver Creek floods recorded: February 25, 1875; January 12, 1879; August 16, 1905; June 14, 1917; May 12, 1922; and July 2, 1929; April 1972. Mumpower Creek also experienced the large flood in June 1917; in addition, Mumpower Creek has had floods independent of Beaver Creek and of sufficient size to cause damages.

The October 1977 flood is also the flood of record for Little Creek. Other noted flood events on this tributary include March 1955, April 1972 and December 1972.

Flood protection measures began on Beaver Creek in 1871 and continued through 1934. New channels, dikes and channel improvements were all methods employed for flood protection. In 1925 an improved section was converted to a closed conduit and became Piedmont Street, which is the location of the maternity colony of gray bats. In 1965 TVA completed two detention reservoirs upstream of the downtown areas of Bristol.

DESCRIPTION: The proposed action includes the discharge of dredged and/or fill material in connection with channel widening in two areas, removal of the Sears building, removal of 8th Street Bridge, removal and replacement of a pedestrian bridge, and modification to Beaver Creek Dam. Utility line crossings affected by the proposed work would be replaced/installed in accordance with Nationwide Permit (NWP) conditions and guidelines for NWP #12, Utility Line Activities.

Channel widening near 6th Street would include the construction of a ten foot-wide bench beginning at surface water elevation during normal flow or one foot above the existing streambed, whichever is greater, along the right descending bank for approximately 650 feet. The project would begin downstream of the Service Road entrance for AutoZone (RM 13.71) and continue to the Volunteer Parkway bridge (RM 13.59). Approximately 2,500 cubic yards (cy) of material would be excavated. The right bank would be constructed on a 2:1 horizontal:vertical (H:V) slope and revegetated with grasses and trees. Erosion control matting seeded with grasses would be the preferred stabilization method; however, riprap would be used if water velocities make it necessary. Steeper slopes may be necessary if auger borings confirm that rock outcrops the streambed. In conjunction with the channel widening, instream environmental features such as gabion weirs and pools/riffles are proposed in accordance with NWP #27 for Stream and Wetland Restoration Activities.

Channel widening at 8th Street Bridge would include the construction of a bench approximately ten feet wide and beginning at water surface elevation during normal flow or one foot above the existing streambed, whichever is greater. The channel widening would be along the left descending bank for approximately 1,500 feet. The work would begin upstream of the 8th Street bridge (RM 15.15) just below the confluence of Little Creek and Beaver Creek and extend downstream to the Applebee's Restaurant access bridge (RM 14.87). Approximately 4,000

cubic yards of material would be excavated. The left bank would be constructed on a 2:1 (H:V) slope and revegetated with grasses and trees. Erosion control matting seeded with grasses would be the preferred stabilization method; however, riprap would be used if water velocities make it necessary. Steeper slopes may be necessary if auger borings confirm that rock outcrops the streambed. Instream environmental features such as gabion weirs and pools/riffles are proposed in accordance with NWP #27 for Stream and Wetland Restoration Activities.

The 8th Street Bridge crossing Beaver Creek would be removed with no replacement. The existing bridge is a cast-in-place concrete arch slab. This bridge receives little traffic flow, therefore no replacement is proposed. Property would be acquired to construct a cul-de-sac to allow for turn-around of traffic on the north side of Beaver Creek. On the south side, property would be acquired and dedicated to the adjacent restaurant for loss of parking. With the removal of this bridge and its abutments, the left bank would be sloped to tie to the existing bank; along the right bank, a retaining wall is proposed to tie to an existing wall.

An old railroad crossing located downstream of the 8th Street bridge was converted to a pedestrian bridge with the construction of a walking trail (RM 14.96). The existing bridge would be to removed and a replacement built slightly upstream of the old site. The new bridge would be a prefabricated single span with cast-in-place concrete abutments that would be erected parallel to the creek and outside the streambanks.

The Sears Building addition built over Beaver Creek serves as an impediment for water flow and the entire building would be removed. The creek bank would then be sloped and vegetated or retaining walls would be erected.

The existing outlet structure for Beaver Creek Dam (Washington County, Virginia), a reinforced concrete box structure with trash racks, would be replaced with a new larger reinforced concrete structure. The dam, completed in 1965 by TVA for the purpose of reducing flooding in the Bristol area, is dry detention under normal conditions. A 48-inch outlet pipe currently passes through the dam. An 8-inch sewer pipe also passes through the outlet pipe and reduces flow capacity. The proposed structure would have three successive chambers of varying heights with decreasing diameter outlet pipes. Trash racks would be provided at the top of each chamber. This would serve to increase detention times for smaller storm events as well as heavy rainfalls and allow floodwaters below the dam to pass through the twin cities before releasing water from the upper Beaver Creek drainage area. The new structure would also accommodate the existing sewerline. This work would meet conditions and guidelines of NWP #3, Maintenance.

The Corps of Engineers is soliciting comments from the public; federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received by us will be considered. Comments are used to assess impacts on endangered species, historic properties, water quality, water supply and conservation, economics, aesthetics, wetlands, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, general environmental effects, and in general, the needs and welfare of the people.

An Environmental Assessment (EA), Unsigned Finding of No Significant Impact (FONSI), and Preliminary 404(b)(1) Evaluation have been prepared and are being circulated to appropriate

agencies, organizations, and the public for review and comment. The EA evaluates the existing environmental conditions and affects of proposed impacts to Beaver Creek. Also, the EA incorporates environmental commitments and measures to minimize or reduce environmental impacts to riparian and aquatic habitat to the extent feasible including the use of best management practices (BMPs). Also, vegetation lost during construction would be replaced with native species. Responses received during the comment period will be addressed and incorporated into the EA. Copies of the EA package may be obtained by writing or calling the Corps contact indicated below. This notice also serves as Notice of Availability of the EA for review.

In addition to consideration of other factors of the public interest, the review process will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b)(1) of the Clean Water Act (40 CFR Part 230). A copy of the District Engineer's preliminary 404(b)(1) evaluation is included with the EA and available for review at the location listed above.

The National Register of Historic Places lists two historic properties in Bristol, Washington County, Virginia. These properties include the Solar Hill Historic District, located roughly along Johnson, Solar, West, King, Cumberland, and Sycamore Streets (listed in 2001), and the Grove, located at 14071 Lee Highway (listed in 2002).

Six (6) historic properties are listed on the National Register in the Independent City of Bristol, Virginia. These properties include: the Bristol Railroad Station on State and Washington Streets (listed in 1980); the Bristol Virginia-Tennessee Slogan Sign located on E. State Street (listed in 1988); the King-Lancaster-McCoy-Mitchell House at 54 King Street (listed in 1994); the Virginia High School at 501 Piedmont Avenue (listed in 1997); the Virginia Hill Historic District located along sections of Moore, Lee, Russell, Clinton, Spencer, W. Mary and Buchanon Streets (listed in 2002); and the Virginia Intermont College located on Moore and Harmeling Streets (listed in 1984).

Nine (9) historic properties are listed on the National Register in Bristol, Tennessee. These properties include: the Bristol Municipal Stadium located at 1112 Edgemont Avenue (listed in 1987); the Bristol Virginia-Tennessee Slogan sign located on E. State Street (listed in 1988); the First National Bank of Bristol located at 500 State Street (listed in 1985); the Edward Washington King House located at 308 7th Street (listed in 1999); the Paramount Theater and Office Building located at 516 State Street (listed in 1985); the Pemberton Mansion and Oak located 9 miles Northeast of Bristol on Tennessee Highway 34 (listed in 1973); the US Post Office-Shelby Street Station at 620 Shelby Street (listed in 1985); the Parlett House located at 728 Georgia Street (listed in 1983); and the Steel-Seneker House four miles west of Bristol on state highway TN126 (listed in 1977).

The Tennessee Historical Commission is currently processing a nomination for the National Register of Historic Places listing of the Bristol Commercial Historic District. The Bristol Commercial Historic District includes 80 contributing and 22 non-contributing properties located along sections of State, Piedmont, Moore, Shelby, Bank, Progress, 5th, 6th, 7th, and 8th Streets. These properties are located in both Tennessee and Virginia. The nomination also concludes that the Bristol, Virginia Post Office at 100 Piedmont Street is individually eligible for listing on the National Register; this building is not located within the Bristol Commercial Historic District.

Should the selected alternative have the potential to adversely affect historic properties, a Memorandum of Agreement (MOA) would be developed that includes provisions for additional survey and effect assessment, identification and evaluation, adverse effect assessment, and resolution of adverse effect by avoidance, minimization, and/or mitigation. The MOA would be developed in consultation with the Tennessee and Virginia State Historic Preservation Officers (SHPO).

The effects of a non-structural component to address flood protection within the project area would also be addressed by stipulation in the MOA. Copies of this notice are being sent to the offices of the SHPO.

As identified under the Endangered Species Act, one species that is listed as endangered is referenced: Gray bat *(Myotis grisescens)*. In response to the Fish and Wildlife Coordination Act Report, a Biological Assessment (BA) for the gray bat was prepared. Per a February 25, 2003 letter, USFWS concurs with the Corps' finding that the proposed action would not adversely affect the gray bat. All correspondence is included as an appendix to the EA. Virginia Department of Game and Inland Fisheries states that the state listed Tennessee dace (*Phoxinus tennesseenis*) inhabits Beaver Creek and may occur within the project study area.

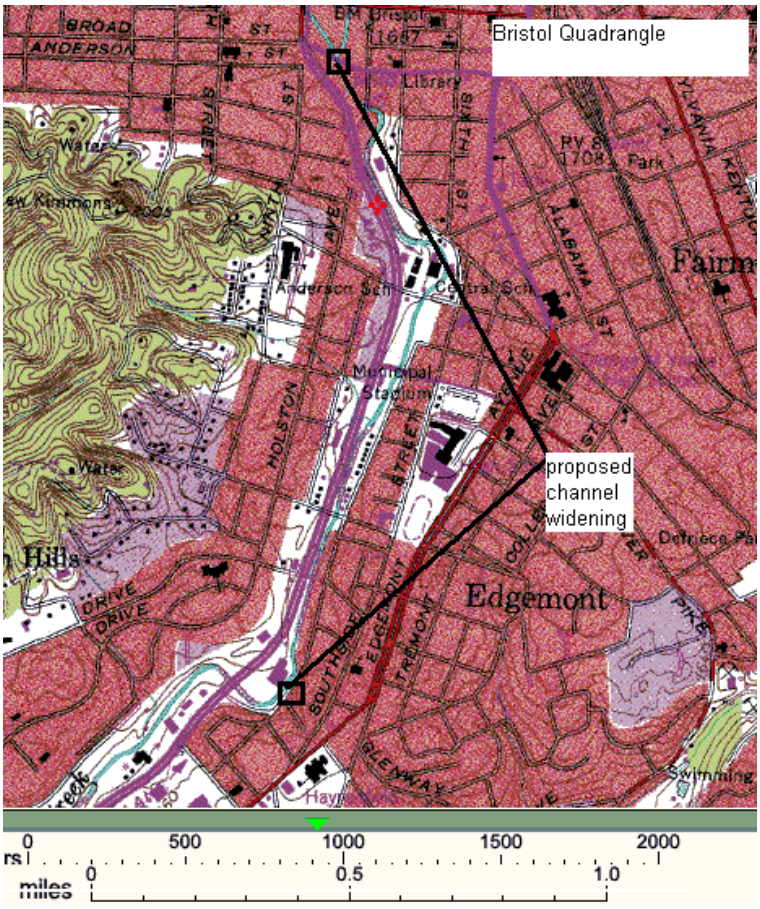
Other federal, state and local approvals required for the proposed work includes the following:

a. Water quality certification from the State of Tennessee and in accordance with Section 401(a)(1) of the Clean Water Act;

b. 26a permit from the Tennessee Valley Authority for activities within the Tennessee River watershed.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings should be sent to the Corps or TDEC, Water Pollution Control, Natural Resources Section. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before August 28, 2003, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the U.S. Army Corps of Engineers, Project Planning Branch, Attention: Kim Franklin, PO Box 1070, Nashville, TN, 37202-1070, or by calling (615) 736-7954. Comments can be addressed to the Tennessee Valley Authority, Attention Harold Draper, 400 W. Summit Hill Drive, Knoxville, TN 37902-1499, or by calling (865) 632-6889. Comments can also be directed to the Tennessee Department of Environment and Conservation, Division of Water Pollution Control, Natural Resources Section, Attention: Dan Eager, 401 Church Street, 7th Floor L&C Annex, Nashville, TN 37134-0343, or by calling (615) 532-0708.


Bristol Quadrangle
proposed channel widening
Edgemont
Municipal Stadium
Anderson Sch
Central Sch
Library
Park
Swimming
0
500
1000
1500
2000
0
0.5
1.0
miles